

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES

**FILED**  
DISTRICT COURT OF GUAM

JAN 18 2006

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. CR-05-00053

DATE: 01/18/2006

HON. DONALD W. MOLLOY, Designated Judge, Presiding

Court Reporter: Wanda Miles

Electronically Recorded: 9:35:58 - 9:46:59

Law Clerk: Jeff Roth

Courtroom Deputy: Virginia T. Kilgore

CSO: F. Tenorio

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: BRIAN WILLIAM ELM

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

ATTY: CURTIS VAN DE VELD

(X) PRESENT ( ) RETAINED ( ) FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: U.S. POSTAL INSPECTOR CRAIG HALES

U.S. PROBATION: STEPHEN GUILLIOT

U.S. MARSHAL: W. GRAY / G. PEREZ

INTERPRETER: ( ) SWORN LANGUAGE:

\*\*\*\*\* PROCEEDINGS: CONTINUED ARRAIGNMENT \*\*\*\*\*

- ( ) FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: , ATTORNEY APPOINTED  
(X) DEFENDANT SWORN AND EXAMINED: AGE: 30 HIGH SCHOOL COMPLETED:  
(X) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES  
( ) GOV'T SUMMARIZES THE EVIDENCE ( ) GOV'T SUBMITS TO THE PLEA AGREEMENT  
(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA  
(X) DEFENDANT WAIVES READING OF ( ) COMPLAINT ( ) INFORMATION ( ) INDICTMENT  
(X) PLEA ENTERED: ( ) GUILTY (X) NOT GUILTY - TO: COUNT I  
(X) DEFENDANT DENIED THE FORFEITURE ALLEGATION

- ( ) COUNT(S) DISMISSED ON GOVERNMENT'S MOTION  
( ) PLEA AGREEMENT FILED: PLEA: ( ) ACCEPTED ( ) REJECTED  
( ) COURT ORDERS PLEA AGREEMENT SEALED  
( ) COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: FOR RECOMMENDATION.

- ( ) PRELIMINARY EXAMINATION SET FOR:  
( ) ARRAIGNMENT SET FOR: at  
(X) TRIAL SET FOR: MARCH 7, 2006 AT 9:30 A.M.

- PROCEEDINGS CONTINUED TO: at  
( ) DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)  
(X) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR ( ) PROCESSING (X) DETENTION  
( ) DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: at  
(X) DEFENDANT CURRENTLY DETAINED UNDER FEDERAL CUSTODY

NOTES:

The Court questioned the defendant regarding his financial status. The Court appointed Mr. Van de Veld to represent the defendant. Defense counsel requested the Court to have the government make reasonable accommodations so that he may discuss confidential information with his client. The Court ordered Government counsel to provide a report to the Court tomorrow regarding defense counsel's request.